

BUSINESS AND NONINSTRUCTIONAL OPERATIONS**New Construction****A. Generally**

It is the legal responsibility of the Stafford County School Board to provide schools, educational facilities, equipment and furnishings for the education of the county's youth. A major objective of the board shall be to provide the necessary schools and other facilities at the right place, the right time, and at a cost that is within the means of the county.

B. New Construction

The board shall provide new school buildings and facilities in locations where a present or future need has been shown. New school buildings, facilities and sites shall be designed and constructed to be readily accessible to and usable by individuals with disabilities in order to meet the present and anticipated needs of an expanding population, shall accommodate the proposed educational program and shall provide a safe and healthful environment for the students, staff and community.

C. Alterations

Major alterations to existing facilities that are beyond the capabilities of the school maintenance staff may be undertaken by the board when they will extend the use of the present facilities, will meet the educational requirements of the students, will be readily accessible to and usable by individuals with disabilities to the maximum extent feasible and will continue to provide a safe and healthful environment for education.

Editor's Note

See also division regulation #R4-61

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Legal Reference: Through June 30, 1997

U.S. Department of Justice, Americans with Disabilities Act - 1992, Public Law 101-336, 28 CFR Part 35, Subtitle A, Title II -- Nondiscrimination on the Basis of Disability in State and Local Government Services.

Code of Va., §22.1-140. Plans for buildings to be approved by division superintendent. - No public school building or addition or alteration thereto, for either permanent or temporary use, shall be advertised for bid, contracted for, erected, or otherwise acquired until the plans and specifications therefor have been approved in writing by the division superintendent and are accompanied by a statement by an architect or professional engineer licensed by the Virginia Board for Architects, Professional Engineers, Land Surveyors and Landscape Architects that such plans and specifications are, in his professional opinion and belief, in compliance with the regulations of the Board of Education and the Uniform Statewide Building Code. The division superintendent's approval, architect's or engineer's statement, and a copy of the final plans and specifications shall be submitted to the Superintendent of Public Instruction. (Code 1950, §§22-97, 22-152, 22-153; 1954, cc. 257, 291; 1959, Ex. Sess., c. 79, §1; 1968, c. 501; 1971, Ex. Sess., c. 161; 1975, cc. 308, 328; 1978, c. 430; 1980, c. 559; 1991, c. 550; 1993, c. 227.)

Code of Va., §11-37. Definitions. ". . . 'Professional services' means work performed by an independent contractor within the scope of the practice of accounting, actuarial services, architecture, land surveying, landscape architecture, law, medicine, optometry, pharmacy or professional engineering. 'Professional services' shall also include the services of an economist procured by the State Corporation Commission. . ." (1991)

Code of Va., §11-41. Methods of procurement. - "A. All public contracts with nongovernmental contractors for the purchase or lease of goods, or for the purchase of services, insurance, or construction, shall be awarded after

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competitive sealed bidding, or competitive negotiation as provided in this section, unless otherwise authorized by law. . ." (1993)

Code of Va., §22.1-79. Powers and duties. - A school board shall:

1. See that the school laws are properly explained, enforced and observed;
2. Secure, by visitation or otherwise, as full information as possible about the conduct of the public schools in the school division and take care that they are conducted according to law and with the utmost efficiency;
3. Care for, manage and control the property of the school division and provide for the erecting, furnishing, and equipping of necessary school buildings and appurtenances and the maintenance thereof;
4. Provide for the consolidation of schools or redistricting of school boundaries or adopt pupil assignment plans whenever such procedure will contribute to the efficiency of the school division;
5. Insofar as not inconsistent with state statutes and regulations of the Board of Education, operate and maintain the public schools in the school division and determine the length of the school term, the studies to be pursued, the methods of teaching and the government to be employed in the schools;
6. In instances in which no grievance procedure has been adopted prior to January 1, 1991, establish and administer by July 1, 1992, a grievance procedure for all school board employees, except the division superintendent and those employees covered under the provisions of Article 2 (§22.1-293 et seq.) and Article 3 (§22.1-306 et seq.) of Chapter 15 of this title, who have completed such probationary period as may be required by the school board, not to exceed eighteen months. The grievance procedure shall afford a timely and fair method of the resolution of

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disputes arising between the school board and such employees regarding dismissal, suspension, or other disciplinary actions and shall be consistent with the provisions of the Board of Education's procedures for adjusting grievances except that there shall be no right to a hearing before a fact-finding panel;

7. Perform such other duties as shall be prescribed by the Board of Education or as are imposed by law; and

8. Obtain public comment through a public hearing not less than ten days after reasonable notice to the public in a newspaper of general circulation in the school division prior to providing (i) for the consolidation of schools or (ii) in school divisions having 15,000 pupils or more in average daily membership, for redistricting of school boundaries or adopting any pupil assignment plan affecting the assignment of fifteen percent or more of the pupils in average daily membership in the affected school. Such public hearing may be held at the same time and place as the meeting of the school board at which the proposed action is taken if the public hearing is held before the action is taken. If a public hearing has been held prior to the effective date of this provision on a proposed consolidation, redistricting or pupil assignment plan which is to be implemented after the effective date of this provision, an additional public hearing shall not be required. (Code 1950, §§22-71, 22-97; 1954, cc. 289, 291; 1956, Ex. Sess., c. 60; 1959, Ex. Sess., c. 79, §1; 1966, c. 691; 1968, c. 501; 1970, c. 71, 1917, Ex. Sess., c. 161; 1972, c. 511; 1975, cc. 308, 328; 1980, c. 559; 1985, c. 8; 1987, c. 402; 1991, cc. 553, 668; 1994, c. 596.)

Adopted by School Board: March 24, 1987
Amended by School Board: January 11, 1994